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Attorneys for Credit Suisse AG, Cayman Islands Branch, formerly known as Credit Suisse, Cayman Islands Branch (as successor to Credit Suisse First Boston, Cayman Islands Branch); Credit Suisse Securities (USA) LLC (formerly known as Credit Suisse First Boston LLC); and Credit Suisse AG (collectively, “Credit Suisse” or “Appellant”)

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

In re:

LAKE AT LAS VEGAS JOINT VENTURE, LLC; LLV-1, LLC; LLV HOLDCO, LLC; LAKE LAS VEGAS PROPERTIES, LLC; LLV FOUR CORNERS, LLC; NORTHSHORE GOLF CLUB LLC; P-3 AT MONTELAGO VILLAGE LLC; THE GOLF CLUB AT LAKE LAS VEGAS LLC; MARINA INVESTORS LLC; THE VINEYARD AT LAKE LAS VEGAS LLC; LLVVHI LLC; TCH DEVELOPMENT LLC; TC TECHNOLOGIES LLC; SOUTHSORE GOLF CLUB LLC NEVA HOLDINGS LLC

Jointly Administered Reorganized Debtors.

CREDIT SUISSE,

Appellant,

v.

LARRY LATTIG, CREDITOR TRUSTEE OF THE LLV CREDITOR TRUST

Appellee.

USDC Case No.: 17-cv-01975-JCM
Appeal Ref. No. 17-27

Appeal from Case No. BK-S-08-17814-MKN
BK 08-17815 MKN BK 08-17832 MKN
BK 08-17817 MKN BK 08-17835 MKN
BK 08-17820 MKN BK 08-17837 MKN
BK 08-17822 MKN BK 08-17841 MKN
BK 08-17825 MKN BK 08-17842 MKN
BK 08-17827 MKN BK 08-17844 MKN
BK 08-17830 MKN BK 08-17845 MKN

Joint Administration

**SECOND STIPULATION AND ORDER
TO EXTEND BRIEFING SCHEDULE TO
FACILITATE MEDIATION**

Credit Suisse, by and through its undersigned counsel, Elizabeth W. Walker of the law firm

1 Sidley Austin LLP and William M. Noall of the law firm Garman Turner Gordon LLP, Larry
2 Lattig, as Creditor Trustee (the "Creditor Trustee") of the LLV Creditor Trust, by and through his
3 attorneys, Robert M. Charles, Jr. of the law firm Lewis Roca Rothgerber Christie LLP and Gary
4 Cruciani, Jr. of the law firm McKool Smith, P.C., and Highland Floating Rate Opportunities Fund
5 and NexPoint Credit Strategies Fund (together, the "Highland Entities" and, collectively with the
6 Creditor Trustee, the "Appellees") by and through their attorneys, Jacob S. Frumkin and Michael
7 D. Warner of the law firm Cole Schotz P.C. and Samuel A. Schwartz of the law firm Schwartz
8 Flansburg PLLC (collectively, the "Parties"), stipulate and agree as follows:

9 **RECITALS**

10 a. On December 12, 2017, this Court issued a Minute Order [ECF No. 27] (the
11 "Minute Order") setting the deadlines for Appellant to file and serve an opening brief, for
12 Appellee(s) to file and serve an answering brief, and for Appellant to file and serve a reply brief.
13 The deadlines set in the Minute Order are December 26, 2017, January 9, 2018, and January 23,
14 2018, respectively.

15 b. On December 29, 2017, this Court issued an Order [ECF No. 31] extending the
16 deadlines to March 2, 2018, April 6, 2018, and April 20, 2018, respectively.

17 c. On January 23, 2018 the Parties mediated the disputes involved in what is referred
18 to by the Parties and the United States Bankruptcy Court for the District of Nevada as the
19 "Indemnification Dispute," which includes this appeal.

20 d. The Parties are presently negotiating documentation to implement the agreements
21 made at mediation, including documentation terminating this appeal.

22 e. The Parties do not wish to expend further resources on this appeal pending its
23 dismissal.

24 f. In view of the foregoing and consistent with Bankruptcy Rule 8009, made
25 applicable to this appeal pursuant to LR 8018, the Parties have further met and conferred regarding
26 an extension of the current briefing schedule.

27 **STIPULATION**

28 Based upon the above Recitals and subject to the entry of an order by this Court approving

1 this Stipulation, the Parties agree that:

- 2 1. The Appellant shall have until April 6, 2018, to file and serve an opening brief.
- 3 2. The Appellees shall have until May 4, 2018, to file and serve an answering brief.
- 4 3. The Appellant shall have until May 18, 2018, to file and serve a final reply brief.

5 Dated: March 2, 2018.

6 GARMAN TURNER GORDON LLP

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7 /s/ William M. Noall

/s/ Elizabeth W. Walker

8 William M. Noall

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11
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13 /s/ Robert M. Charles, Jr.

/s/ Gary Cruciani, Jr.

14 Robert M. Charles, Jr.

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24 **IT IS SO ORDERED:**

25
26 
UNITED STATES DISTRICT JUDGE

27 **DATED:** March 30, 2018